

**IN THE UNITED STATES DISTRICT
COURT FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

**TRACI PAYNE-WARREN ON
BEHALF OF THE ESTATE OF
JAMES R. PAYNE, DARRYL
PAYNE AND JAMES R. PAYNE, JR.**

Plaintiff,

VS.

PHH MORTGAGE CORPORATION

Defendants.

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CIVIL ACTION NO. 3:23-cv-00010

JOINT STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiffs Traci Payne-Warren, on behalf of the Estate of James R. Payne, Darryl Payne, and James R. Payne Jr., and Defendant PHH Mortgage Corporation (collectively, “the Parties”) file this Joint Stipulation of Dismissal.

1. This case arises out of the attempted foreclosure by trustee sale of the property at **322 4th St. N. Texas City, 77590, Galveston County Texas.** The subject property now been refinanced and the dispute between the Parties is resolved. The Plaintiffs therefore, no longer seek to pursue this action.

2. The Plaintiffs and Defendant therefore file this JOINT STIPULATION OF DISMISSAL so this suit may be dismissed and removed from the Court’s docket.

Respectfully submitted,

MEDEARIS LAW FIRM, PLLC

By: /s/ David Medearis

DAVID M. MEDEARIS, TBA 24041465, Fed ID 557586

dmedearis@medearislaw.com

1560 W. Bay Area Blvd., Suite 304

(281) 954-6270 (Phone)

(281) 954-6280 (Facsimile)

ATTORNEY FOR PLAINTIFF,

**TRACI PAYNE-WARREN ON BEHALF OF THE ESTATE
OF JAMES R. PAYNE, DARRYL PAYNE AND JAMES R.
PAYNE, JR.**

and

MCGLINCHEY STAFFORD, PLLC

By: /s/ Thomas W. White, Jr. (signed by permission)

THOMAS W. WHITE, JR

State Bar No. 24102645

twhite@mcglinchey.com

1001 McKinney Street, Suite 1500

Houston, Texas 77002

(713) 335-2135 Tel

(713) 520-1025 Fax

ATTORNEY FOR DEFENDANT,

PHH MORTGAGE CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on this March 8, 2023, a true and correct copy of the foregoing **Joint Stipulation of Dismissal** was served via electronic service and/ or facsimile and first-class mail and/ or certified mail to all counsel of record.

/s/ David Medearis
DAVID M. MEDEARIS